

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION AT JACKSON**

SARAH NELSON,

Plaintiff,

V.

**STEVENS TRANSPORT, INC.,
PARAGON LEASING, LP, and PERRY
PATTERSON,**

Defendant.

)
) **No.** _____
)
) **Judge** _____
) **Magistrate Judge** _____
) **Jury Demand**
)
)
)

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1332, 1441, and 1446, Defendant, Stevens Transport, Inc.; Paragon Leasing, LP; and Perry Patterson (“Defendants”), by counsel, file this Notice of Removal of this action from the Circuit Court in Madison County, Tennessee, where it is now pending, to the United States District Court for the Western District of Tennessee based upon diversity of citizenship and an amount in controversy exceeding \$75,000.00. The grounds for removal are as follows.

Procedural Background

1. This action was commenced on or about August 8, 2022, by Plaintiff's filing of the Complaint in the Madison County Circuit Court in Jackson, Tennessee, Case No. C-22-195 (the "Complaint"). True and accurate copies of the pleadings served upon the Defendants, Stevens Transport, Inc. and Paragon Leasing, LP in this action are attached as Exhibit A.

2. The Complaint was served on Stevens Transport, Inc. on or about August 19, 2022, by service upon its registered agent. It is believed Paragon Leasing, LP was served the same day by service upon its registered agent, and Mr. Patterson was served after August 26

but before September 1 by certified mail. The Notice of Removal is being filed within thirty (30) days after service of the Complaint in the matter upon the last-served defendant; therefore, the removal is timely in accordance with 28 U.S.C. § 1446.

3. The Complaint contains allegations of negligence, and negligence per se (Complaint ¶¶ 3-59). The Complaint seeks an amount to be determined by the trier of fact but not in excess of \$500,000 (Id., at unnumbered paragraph, pg. 21).

4. The Plaintiff is a citizen and resident of Madison County, Tennessee. (Id., at ¶ 1)

5. The Defendant, Stevens Transport, Inc. is a corporation organized under the laws of the State of Texas, with its principal place of business in Dallas, Texas. Defendant Paragon Leasing, LP, is a Texas Limited Partnership with its principal place of business in Dallas, Texas (Id., at ¶ 3). Paragon Leasing, LP has two members: Stevens Transport, Inc. and Hanover International, LLC. Each entity is organized in Texas with a principal place of business in Dallas. Hanover International, LLC, has one member, Stevens Transport, Inc., a Texas Corporation with the principal place of business in Dallas. Mr. Patterson is a citizen of Louisiana and a resident of Greenwood, Louisiana. (Id., at ¶ 4)

6. The United States District Court for the Western District of Tennessee has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 as there is complete diversity of the parties, and the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

7. A copy of this Notice of Removal is being served by United States mail on counsel for Plaintiff, and a Notice of Filing of Notice of Removal is being filed with the Madison County Circuit Court in Madison County, Tennessee, in accordance with 28 U.S.C. § 1446(d). (Copies of those notices are attached as Exhibit B.) The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

8. Defendants demand a jury to try this case.

WHEREFORE, Defendants, Stevens Transport, Inc.; Paragon Leasing, LP; and Perry Patterson, pray this Court consider the Notice of Removal as provided by law governing removal of cases to this Court and that this Court enter the appropriate orders to effect the removal of this case from the Madison County Circuit Court in Madison County, Tennessee to this Court.

Respectfully submitted,

LEWIS THOMASON, P.C.

By: /s/ John R. Tarpley

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*Attorneys for Stevens Transport, Inc.; Paragon
Leasing, LP; and Perry Patterson*

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Notice of Removal was filed electronically. Notice of this filing will be served on the following counsel of record via the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served via regular U.S. mail and/or email.

J. Neil Umsted, Esquire
488 South Mendenhall Road
Memphis, TN 38117

This the 19th day of September, 2022.

/s/ John R. Tarpley
John R. Tarpley